

STATE OF NEW YORK
SUPREME COURT; COUNTY OF ERIE

LG 1 DOE

Plaintiff,

vs.

MARK M. FRIEL,

ORDER

THE DIOCESE OF BUFFALO, N.Y.

Index No.: 811175/2019

and

HOLY APOSTLES PARISH OF
JAMESTOWN, f/k/a
SS PETER & PAUL ROMAN
CATHOLIC CHURCH,

Defendants.

Plaintiff, LG 1 DOE, having moved by Notice of Motion dated October 24, 2019, for an order, pursuant to CPLR § 3215, granting Plaintiff default judgment against Defendant MARK M. FRIEL, together with such other relief as this Court deems just and proper,

UPON considering the following papers submitted by Plaintiff: (i) Notice of Motion for Default Judgment, dated October 24, 2019; (ii) Affirmation of Christina M. Croglio, Esq., dated October 24, 2019, with exhibits attached; (iii) Affidavit of LG 1 DOE, sworn to October 23, 2019; and no opposition to Plaintiff's Motion having been received; and this matter having come on to be heard for oral argument on the 9th day of December, 2019, with William P. Moore, Esq. and Christina M. Croglio, Esq. of counsel to Lipsitz Green Scime Cambria LLP appearing for Plaintiff, Randall D. White, Esq. of counsel to Connors, LLP appearing for the Diocese of

Buffalo, N.Y. and Holy Apostles Parish of Jamestown f/k/a SS Peter and Paul Roman Catholic Church, and no appearance made by or on behalf of Mark M. Friel, and after due deliberation having been had herein, and in accordance with the decision rendered at oral argument (a copy of the transcript is attached as **Exhibit A**) it is hereby,

ORDERED that Plaintiff's motion for default judgment against Defendant Mark M. Friel is GRANTED.

IT IS FURTHER ORDERED that pursuant to CPLR 3215(d), the entry of judgment against the defaulting defendant is stayed until the conclusion of a trial against the remaining defendants or disposition of this matter with remaining defendants. At such time, an inquest on damages would then be conducted.



1/24/2020
DEBORAH A. CHIMES, J.S.C.

ENTERED: